



DEPARTMENT OF THE NAVY

COMMANDER
NAVY REGION, MID-ATLANTIC
6506 HAMPTON BLVD.
NORFOLK, VA 23508-1273

IN REPLY REFER TO:

COMNAVREG MIDLANT
INST 5813.1
Code 00L
26 JUN 2002

COMNAVREG MIDLANT INSTRUCTION 5813.1

Subj: SUBMISSION OF NOMINATIONS FOR MEMBERSHIP ON COURTS-MARTIAL AND BOARDS OF INQUIRY (BOI) TO COMMANDER, NAVY REGION, MID-ATLANTIC (COMNAVREG MIDLANT)

Ref: (a) CINCLANTFLTINST 5400.2 Series
(b) CINCLANTFLT ltr 5800 Ser N02LF/3018 of 31 Oct 97
(c) OPNAVINST 5400.2 Series
(d) CINCLANTFLT NORFOLK VA 241600Z Mar 99 (ALLANTFLT 008/99)
(e) Manual for Courts-Martial (2000)

Encl: (1) List of Commands Required to Nominate Court-Martial Members
(2) Court-Martial Member Questionnaire and Data Sheet

1. Purpose. To publish procedures for submission of nominations for prospective courts-martial and Board of Inquiry (BOI) members to COMNAVREG MIDLANT.

2. Cancellation. COMNAVREGMIDLANTINST 5813.1H.

3. Background. Reference (a) assigns to COMNAVREG MIDLANT the area coordination, Regional Commander's responsibilities for specified legal matters, including the convening of courts-martial and BOIs. COMNAVREG MIDLANT, as area coordinator, serves as the convening authority of convenience for most general courts-martial and BOIs convened in the Hampton Roads area. Article 2604b of reference (a) authorizes COMNAVREG MIDLANT to obtain court-martial members from fleet units and staffs. Reference (b) provides similar authority for COMNAVREG MIDLANT to obtain BOI members. References (c) and (d) direct fleet and shore commands to provide court-martial nominees to Regional Coordinators when tasked.

4. Selection of Prospective Members. The importance of court-martial proceedings and BOIs to the sound administration of military justice and to the maintenance of discipline is well established. As mandated by Article 25, UCMJ, only those personnel who are considered best qualified by reason of age,

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education, training, experience, length of service, and judicial temperament shall be nominated for membership on courts-martial and BOIs.

5. Action

a. Commands listed in enclosure (1) are required to submit quarterly nominations for prospective members of the number and grade indicated to serve as courts-martial and BOI members for a period of three months. Nominees may be selected to serve on general courts-martial convened by COMNAVREG MIDLANT, BOIs directed by Chief of Naval Personnel, and special courts-martial convened by Commanding Officer, Transient Personnel Unit, Norfolk.

b. Nominations shall be submitted quarterly by the 15th of each month preceding the commencement of a fiscal quarter for the succeeding quarter. Alternates are requested since the quarterly duration of each nomination may require substitution. Circumstances of trial may necessitate the carry-over of an assigned nominee sitting in a quarter other than that of assignment.

c. Commands shall have nominees complete enclosure (2) and forward the original to COMNAVREG MIDLANT (Code 00L) for retention. Commands will ensure enclosure (2) is updated by prospective court-martial members and that the information held on file is current. Enclosure (2) is the appropriate form for submission of court-martial member nominations.

d. Per reference (e), Rule for Courts-Martial 503, in a general courts-martial at which the accused is a member of the Marine Corps, membership of the court will normally include at least a majority of Marine Corps personnel. The officers and enlisted personnel assigned to the Marine Corps Security Force Battalion, Norfolk; Fleet Marine Force, Atlantic (CG FMFLANT); and Marine Corps Security Force Company, Yorktown are considered available for assignment to such courts. Accordingly, CG FMFLANT will nominate officer and/or enlisted personnel of appropriate rank to serve as members of such courts-martial. For Marine officer administrative separation actions, CG FMFLANT will nominate an appropriate number of officers to sit as members of the Board.

e. Every effort will be made to provide members with at least one week's notice of the dates, times, and locations of the particular cases on which they will serve.

6. Unavailability of Members. Prospective members subsequently selected by COMNAVREG MIDLANT to sit as members will be available to serve at any time within the designated period. A member will be excused only for emergency leave, sick in quarters or operational necessity. Regular leave, routine or previously scheduled TAD, or convenience to the individual or command are not grounds for absence. An excuse must be obtained by the member's command, not the member. If a command requests a member be excused for good cause, the member's command will submit an alternate nominee by using enclosure (2). Commands should ensure that previously approved leave and/or periods of TAD do not conflict with a prospective court-martial member's availability during the quarter he or she is nominated.

7. Forms. Enclosure (2), required by this instruction, may be reproduced locally.



G. E. EICHERT
Chief of Staff

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COMNAVREGMIDLANTINST 5813.1
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<u>COMMAND</u>	<u># OF NOMINEES</u>		<u>GRADE</u>
CINCLANTFLT	3 OFF	2 ENL	2 O-6, 1 O-5 2 E-6 or above
COMNAVSURFLANT	4 OFF	3 ENL	1 O-6, 1 O-5 2 O-4 or below 3 E-6 or above
COMNAVAIRLANT	2 OFF	0 ENL	2 O-6
COMNAVREG MIDLANT	2 OFF	1 ENL	2 O-3 or below 1 E-6 or above
COMNAVSAFECEEN	1 OFF	4 ENL	1 O-5 or below 4 E-6 or above
COMREGSUPPGRU Norfolk	2 OFF	2 ENL	1 O-5, 1 O-4 2 E-6 or above
COMSECOND NCB	1 OFF	0 ENL	1 O-4 or below
COMSUBLANT	2 OFF	1 ENL	1 O-5, 1 O-4 1 E-6 or above
EODMU TWO Norfolk	0 OFF	1 ENL	1 E-6 or above
EWIGLANT	1 OFF	2 ENL	1 O-3 or below 2 E-6 or above
FCTCLANT Virginia Beach	2 OFF	3 ENL	1 O-4 or above 1 O-3 or below 3 E-6 or above
FISC Norfolk/ Logistics PM	2 OFF	3 ENL	1 O-5 1 O-4 or below 3 E-6 or above
FLETRACEN Norfolk	2 OFF	2 ENL	2 O-4 or below 2 E-6 or above
NAMTRAGRU Norfolk	0 OFF	3 ENL	3 E-6 or above
NAS Oceana/Air Ops PM	4 OFF	8 ENL	2 O-4, 2 O-3 or below 8 E-6 or above
NAVAIRES Norfolk	0 OFF	2 ENL	2 E-6 or above
NAVDECEN MIDLANT	2 OFF	1 ENL	1 O-6, 1 O-3 or below 1 E-6 or above
NAVMECCEN Portsmouth	4 OFF	3 ENL	2 O-6, 2 O-3 or below 3 E-6 or above
NAVPHIBASE Little Creek/ Public Safety PM	0 OFF	5 ENL	2 E-7 or above 3 E-6 or below

Enclosure (1)

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NAVSECGRUACT Norfolk	0 OFF	1 ENL	1 E-6 or above
NAVSHIPYD Norfolk	3 OFF	0 ENL	1 O-5 or O-4 2 O-3 or below
NAVSTA Norfolk/ Port Ops PM	2 OFF	5 ENL	1 O-4 or above 1 O-3 or below 5 E-6 or above
NAVSUPPACT Norfolk Support Services PM	2 OFF	5 ENL	2 O-3 or below 5 E-6 or above
NCTAMS LANT Norfolk/ IT PM	2 OFF	4 ENL	2 O-5 or below 4 E-6 or above
PERSUPPACT Norfolk	1 OFF	1 ENL	1 O-3 or below 1 E-6 or above
PWC Norfolk/ Facilities PM	1 OFF	0 ENL	1 O-3 or below
SIMA Norfolk	2 OFF	5 ENL	1 O-5, 1 O-4 5 E-6 or above
LANTORDCOM Yorktown/ Ordnance PM	1 OFF	5 ENL	1 O-6 or below 5 E-6 or above

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COURT-MARTIAL MEMBER QUESTIONNAIRE AND DATA SHEET

Please print the following information and sign and date it at the bottom of the form. If necessary, include additional information on separate pages. The information in this questionnaire is for official use at a court-martial only. The questions asked herein are in no way an attempt to pry into your personal life or to embarrass or discredit you. These questions are those customarily asked of all prospective members of courts-martial in order to provide some basis for determining their qualifications to sit fairly and impartially as a member of a court-martial. Under the Privacy Act, questionnaires are removed from records of trial prior to any record being released to the public.

1. Full Name: _____ Rate / Rank / Desig: _____
2. Armed Force: _____ Date of Rank: _____ Years of Service: Enl. _____ Off. _____
3. Gender: _____ Ethnic Origin _____ DOB: _____ Marital Status: _____
4. Age & Gender of Dependents: _____
5. Home of Record: _____ Current Residence: _____
6. Duty Station & Phone: _____
7. Billet & Job Description: _____
8. Past Duty Stations & Billets w/Dates: _____

9. Awards & Decorations: _____

10. High School Graduate: Yes / No Attend College: Yes / No College Graduate: Yes / No
Major & Minor / Degree / Dates: _____
11. Graduate Study: Yes / No College / Field / Degree / Dates: _____

12. Military Schools / Subjects / Dates: _____

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13. Prior Legal Training: Yes / No Identify: _____

14. Served as Command Legal Officer: Yes / No Dates: _____

15. Personal / Family Involvement in Law Enforcement: Yes / No Explain: _____

16. Been a Crime Victim (Self or Family): Yes / No Dates / Circumstances: _____

17. Served as General / Special Court-Martial Member / Counsel / Witness: Yes / No

Types of Courts / Capacities / Dates / Charges: _____

18. Served as Summary Court-Martial Officer: Yes / No Dates / Charges: _____

19. Imposed NJP / Mast or Convened Courts-Martial as CO / OIC: Yes / No Billets / Dates: _____

20. Have you acted as accuser, counsel, investigating officer, convening authority, legal officer, or staff judge advocate in this case or forwarded the charge(s) with a recommendation as to disposition: Yes / No

21. Are you aware of any matter that may render you unable to be fair and impartial in this case: Yes / No
Explain: _____

Signature

Date